

Holland & Knight

800 17th Street, NW, Suite 1100 | Washington, DC 20006 | T 202.955.3000 | F 202.955.5564
Holland & Knight LLP | www.hklaw.com

RECEIVED

2013 JAN 22 PM 2:45

FEC MAIL CENTER

January 22, 2013

VIA HAND DELIVERY

Jeff S. Jordan, Esq.
Office of the General Counsel
Federal Election Commission
999 E Street, NW
Washington, DC 20463

RE: MUR 6698 – John Porter

Dear Mr. Jordan:

This response is submitted on behalf of John L. Porter in relation to the December 7, 2012 letter from the Federal Election Commission (FEC) notifying Mr. Porter of a complaint filed by Christian Gil¹ (Complaint). Pursuant to 2 U.S.C. § 437g(a)(1), no action should be taken against Mr. Porter and he should be dismissed from this matter.

Statement of Facts

Mr. Porter served as campaign manager for Congressman Charles Boustany's 2012 re-election campaign, Charles Boustany Jr. MD for Congress, Inc. As campaign manager, Mr. Porter was responsible for, among other things, get-out-the-vote (GOTV) and grassroots campaign activities. As part of these efforts, Mr. Porter, through Campaign Counsel LLC, subcontracted with Southwest Solutions LLC. Mr. Porter is the sole member of Campaign Counsel LLC.

Response

Campaign Counsel LLC, subcontracted with Southwest Solutions LLC in order to assist with outreach to voters in connection with Congressman Boustany's 2012 election in Louisiana's 3rd Congressional District. Mr. Porter has had no contact with United Ballot PAC (including Elroy Broussard and Karen Babineaux) and cannot provide any information regarding United Ballot PAC's mailings or disclaimers. In addition, Mr. Porter's duties as campaign manager did not include preparing or submitting FEC disclosure reports on behalf of Charles Boustany Jr. MD for Congress, Inc. and he cannot provide any information regarding how expenditures were reported to the FEC, other than to confirm Campaign Counsel LLC did subcontract with Southwest Solutions LLC for GOTV and grass-roots campaign activities.

¹ The signature block indicates Mr. Gil spells his name "Gill," however; it appears the proper spelling is "Gil."

Jeff S. Jordan, Esq.

January 22, 2013

Page 2

130042600118

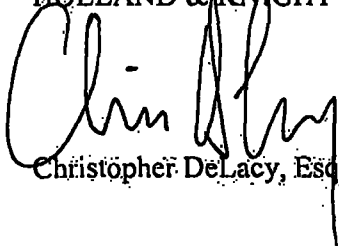
The allegations contained in the Complaint were made during the heat of a campaign and are clearly political: Christian Gil was a supporter of former Congressman Jeff Landry who was Congressman Boustany's primary and run-off opponent in 2012 and Mike Stagg was Congressman Boustany's Democratic opponent in 2006. In addition to being political, the allegations are also without substance: the subcontract between Campaign Counsel LLC and Southwest Solutions LLC to provide GOTV and grassroots campaign activities is indistinguishable from countless other agreements negotiated during every election, which are both legal and routine. That the Complaint takes issue with the agreement or quibbles with the FEC disclosure of the expenditure does not change these facts. In addition, it is noteworthy that the Complaint does not provide any first-hand information and instead relies upon unsworn statements made during radio interviews, which in turn rely upon anonymous sources. Given the political nature of the allegations, the lack of substance in the complaint, and the weakness of the evidence, the Commission should exercise its prosecutorial discretion and dismiss this matter.

Conclusion

Based on the foregoing, I request the FEC take no action against Mr. Porter and ask that he be dismissed from this matter.

Sincerely yours,

HOLLAND & KNIGHT LLP



Christopher DeLacy, Esq.

#12110033_v1